

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

PAUL MANCUSO,

Plaintiff,

-against-

5:12-CV-1027 (LEK/TWD)

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY; LISA
JACKSON; TODD H. GLEASON;
KEVIN MILLER; MATTHEW W.
MORRISON; and MICHAEL R. FISHER,

Defendants.

ORDER

This matter comes before the Court following a Report-Recommendation filed on November 5, 2012 by the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and Northern District of New York Local Rule 72.3(d). Dkt. No. 11 (“Report-Recommendation”).

Within fourteen days after a party has been served with a copy of a magistrate judge’s report-recommendation, the party “may serve and file specific, written objections to the proposed findings and recommendations.” FED. R. CIV. P. 72(b); N.D.N.Y. L.R. 72.1(c). “If no objections are filed . . . reviewing courts should review a report and recommendation for clear error.” Edwards v. Fischer, 414 F. Supp. 2d 342, 346-47 (S.D.N.Y. 2006) (citations omitted).

Here, no objections have been raised in the allotted time with respect to Magistrate Judge Dancks’s Report-Recommendation. See generally Dkt. After a thorough review of the Report-Recommendation and the record, the Court has determined that the Report-Recommendation is not subject to attack for clear error or manifest injustice.

Accordingly, it is hereby:

ORDERED, that the Report-Recommendation (Dkt. No. 11) is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

ORDERED, that all claims against Defendants Lisa Jackson, Todd H. Gleason, Kevin Miller, Matthew W. Morrison, and Michael R. Fisher are **DISMISSED without leave to amend**; and it is further

ORDERED, that the Clerk of the Court issue a summons and forward it, along with a copy of the Amended Complaint (Dkt. No. 7) and a packet containing General Order 25, which sets forth the Civil Case Management Plan used by the Northern District of New York, to the United States Marshal for service upon Defendant EPA; and it is further

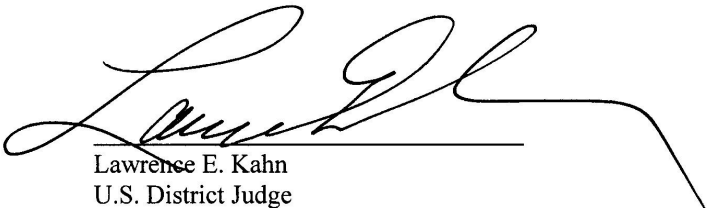
ORDERED, that Defendant file a formal response to Plaintiff's Amended Complaint (Dkt. No. 7) as provided for in the Federal Rules of Civil Procedure subsequent to service of process on Defendant; and it is further

ORDERED, that the Clerk schedule a Rule 16 conference before Judge Dancks; and it is further

ORDERED, that the Clerk of the Court serve a copy of this Order upon the parties to this action.

IT IS SO ORDERED.

DATED: January 02, 2013
Albany, New York


Lawrence E. Kahn
U.S. District Judge